

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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|-------------------------|---|----------------------------------|
| NEIL MALEK, # 539409, |) | |
| |) | |
| Petitioner, |) | Case No. 1:11-cv-486 |
| |) | |
| v. |) | Honorable Paul L. Maloney |
| |) | |
| JOHH PRELESNIK, et al., |) | |
| |) | <u>ORDER OF DISMISSAL</u> |
| Respondents. |) | |
| |) | |

This purports to be a habeas corpus proceeding brought by a state prisoner pursuant to 28 U.S.C. § 2241. According to the records of the Michigan Department of Corrections, petitioner is serving a sentence of 1½-to-14 years, after pleading guilty to a charge of uttering and publishing in the Kent County Circuit Court. Petitioner filed this habeas corpus action on May 11, 2011, by submitting a 7-page petition. The petition is full of legal jargon but fails to identify any cogent basis for the grant of relief under section 2241.

By order entered May 17, 2011, the court noted petitioner's failure to submit the statutory filing fee or to apply to proceed *in forma pauperis*. Petitioner thereafter filed an affidavit (docket # 3), which failed to comply with the requirements of the court's previous order. Specifically, petitioner failed to submit a certified prison trust account statement as required by rule. The court's previous order warned petitioner that failure to comply with the order would result in the dismissal of this case for want of prosecution. The court concludes that petitioner has no interest in pursuing the apparently baseless habeas corpus claims set forth in his petition. Accordingly:

IT IS ORDERED that petitioner's motion for leave to proceed *in forma pauperis* (docket # 3) be and hereby is DENIED.

IT IS FURTHER ORDERED that the captioned case be and hereby is DISMISSED WITHOUT PREJUDICE for want of prosecution.

Dated: January 11, 2012

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge